

mounting global economic crisis and the role that United States leadership will play. Yet I sincerely believe that world peace, alleviating human suffering and poverty, and averting environmental disaster are all tied in the long run to the United States economic leadership far more than military might.

Ten days ago we suffered a setback on the floor of the House of Representatives with the rejection of the fast track authority, not just the rejection of that authority itself, but how and why it was done. I do believe that America's Presidents need the ability to negotiate some treaties that Congress votes on on an up-or-down basis. Every President since Richard Nixon has had that power. Recently the authority for the Clinton administration expired, and it has been unable to be renewed. Last year we were close to a vote, but because it was deemed that we were short of the votes and we could not afford a defeat, the matter was withdrawn.

This year with the world economy in turmoil, Asia in crisis and the United States stock market on a volatile roller coaster, a vote was scheduled and forced through without bipartisan leadership, without the discussion of the areas of concern, without administration backing. The result was to lose at least 20 Republicans from last year's tally, over a third of the Democrats, either changed their vote to no or present, and it froze a number of sympathetic lawmakers who had legitimate concerns into a no column without working either to accommodate or even to listen to their concerns. This will have consequences far beyond the fast track authority.

At a time when over half the world's people are under some threat of sanction from the United States, we do not know how to evaluate them, how to stop them. For example, with the Pakistan-India situation, United States sanctions simply penalized American farmers and we quickly backtracked. The United States has more difficulty with its China relationship than any other country in the world, and we have significant global environmental concerns to be worked out with the World Bank, with the IMF.

Mr. Speaker, these are not simple items, they are not items that we can ignore, and reckless partisan behavior, for example, as we had on fast track gets us nowhere. We need to start now to repair the damage in the remaining days of this session, and even more important, we need to be clear-eyed, cooperative and thoughtful in our approach to America's role as a leader in the global economy for the next Congress. The stakes are simply too high for us to be diverted by the media issue du jour or attempts to gain partisan advantage.

SURPLUS TAX REVENUE, A NEW CONCEPT IN WASHINGTON

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Illinois (Mr. WELLER) is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Mr. Speaker, I appreciate very much the opportunity to spend a few minutes talking about not only a great opportunity, but a great step forward that was acted upon by this House in the last couple weeks.

One of the greatest commitments we made when we were elected in 1994 on this new majority was to do something that Washington had failed to do for 28 years, and that is to hold the President's feet to the fire and hold the congressional leadership's feet to the fire and balance the budget and live within our means for the first time in 28 years. We succeeded, and I am proud of that success, and this week, the first week of October, we are actually enjoying for the first time in 29 years surplus tax revenue, more money coming into the Federal Treasury than we are spending, a new concept here in Washington, but prior to 1969 it was standard operating procedure in Washington; that is, to live within your means. And I am proud that in the last 3½ years we brought fiscal sanity back to Washington.

Well, the Congressional Budget Office now projects that we have a projected surplus of extra tax revenue over the next 10 years of \$1.6 trillion because of this fiscal responsibility. The question is what are we going to do with it? Some want to spend it, others want to give it back to the American people in helping save Social Security, and of course tax relief, and I stand on the side of those who want to give it back to the American people.

We have a plan that we adopted here in the House of Representatives and sent to the Senate about 2 weeks ago which takes the \$1.6 trillion of extra tax revenue and sets it aside to save Social Security and get back to the American people tax relief.

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I am proud that the 90/10 plan sets aside 90 percent of surplus tax revenues over the next 10 years and we use it to save Social Security. Setting aside 90 percent is 1 trillion 400 billion dollars.

In January, I stood up in a bipartisan applause when the President said let us save and use the surplus for Social Security. At that time, that surplus was \$600 billion. We have done better. We have set aside more than twice what the President had asked for by setting aside 1 trillion 400 billion dollars to save Social Security. What is left, we give back to you in tax relief.

I have often asked in this well a very simple fundamental question. Is it right, is it fair that, under our tax code, 28 million married working couples pay higher taxes under our tax

code just because they are married? Is it right, is it fair that a married working couple with two incomes pays more in taxes than an identical couple with identical incomes living together outside of marriage? That is not right.

We answer that question in the 90/10 plan. In fact, the centerpiece of the 90/10 plan which saves Social Security is we eliminate the marriage tax penalty for the majority of those who suffer it. For 2 million married working couples, we eliminate the marriage penalty, and we provide over \$240 dollars in extra take-home pay that these 28 million working couples will be able to keep back at home in places like Illinois, my home State. That \$240 is a car payment in Joliet, Illinois. We eliminate the marriage penalty for the majority of those who suffer it. We also simplify our tax code by eliminating the marriage penalty for those who suffer it.

President Clinton, in his response to our effort to save Social Security and eliminate the marriage tax penalty, says, well, gee, you know, if you use some of the extra tax revenue and give it back to the American people in eliminating the marriage tax penalty, he calls it squandering that money.

It is very interesting. They always say in Washington you should not listen to what politicians say, you should watch what they do. Because in the 90/10 plan, our effort is to eliminate the marriage tax penalty and help family farmers and small business people, those who want to send their kids off to college, help build schools with school construction bond funds.

We provide about a \$7 billion tax cut next year. President Clinton calls that squandering. Eliminate the marriage tax penalty; that is called squandering under President Clinton's definition. But at the same time, President Clinton calls for spending over \$14 billion of the projected budget surplus of extra tax revenue on the State Department and defense spending and all these other new spending ideas that he does not feel should go through the regular budget process but he wants to use surplus tax revenue for. That just does not make sense.

If we want to eliminate the marriage tax penalty, that is squandering the surplus according to President Clinton. But if you want to spend the surplus, it is okay. That just does not make sense.

Mr. Speaker, this House, with bipartisan support, adopted the 90/10 plan, a plan which sets aside \$1.4 trillion, which is 1 trillion 400 billion dollars, to save Social Security. We eliminate the marriage tax penalty.

We help family farmers. We help small business people. We help those who want to send their kids on to college. We help schools back in Illinois. Let us do the right thing. I hope the Senate will join us in bipartisan support to pass the 90/10 plan.

CONGRESS MAINTAINS POWER TO DECLARE WAR

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Colorado (Mr. SKAGGS) is recognized during morning hour debates for 5 minutes.

Mr. SKAGGS. Mr. Speaker, as the country and this body battles to find some clarity in the back and forth between the salacious and the fallacious, there are actually some significant and important things going on in Washington and in Congress.

One of those has to do with the fact that we may be on the verge of launching a NATO attack under United States leadership against the country of Yugoslavia because of the awful, awful conduct of the security forces of Yugoslavia under the direction of President Milosevic in going after innocent civilians in Kosovo.

One of the important aspects of this unfolding story and policy has to do with the question of whether, as the United States undertakes this effort, whether we do so in compliance with the requirements of our own Constitution.

Article I Section 8 of the Constitution provides very clearly that it is Congress that has the power to make war, whether it is a limited war or a more general war. The power to initiate offensive military action against another country with which we are at least nominally at peace is not a question that resides in the Executive Branch of government but here in the Legislative Branch.

Unfortunately, the history of the post World War II era in the United States is a history of the disuse and the disregard of this very important responsibility provided for in the Constitution and assigned to the Congress. Basically we have had a succession of Presidents who have asserted an ever broader definition of their exclusive authority to initiate military action.

We encounter now, in the face of the pending Kosovo matter the argument of, "Well, everyone else has done it, why can President Clinton not assert this very broad reach of presidential authority?"

The Secretary of State in testimony to Congress earlier this year basically said that it is the Administration's view that the President as commander in chief has the inherent power under the Constitution to take military action in defense of United States interests abroad as the President sees and defines them.

In the face of this post World War II history, we have a parallel and unfortunate history of congressional acquiescence. There are lots of reasons for that. Suffice it to say that, if it is in fact our responsibility that is at stake here, it is up to Congress to assert it and to protect it.

The situation in Kosovo presents a pretty stark set of facts to which this provision of our Constitution ought to apply. We recognize Yugoslavia as a

sovereign independent nation. The United States recognizes Kosovo as an integral part of Yugoslavia. It does not recognize a right to an independent Kosovo. There has been no attack by Yugoslav forces against the United States or our allies. And yet, we nonetheless propose as U.S. policy with our NATO allies to initiate an attack against Yugoslavia.

Let me say it may very well be that the behavior of Yugoslav security forces and President Milosevic is an adequate cause for war. But, again, if there were ever a case in which the war power responsibility of the Congress is clear and ought to be invoked, it is under these facts and circumstances. It is not that Congress has "a" role, is supposed to be consulted or whatever: we have "the" role in making this decision.

Remember the inherent wisdom that the framers of the Constitution had in drafting this provision as they did. They realized it would be unwise to leave with any single individual, the President of the United States, the power to take the country into war. They realized it was essential to involve the people's Representatives in Congress in such a momentous decision and to have them examine thoroughly the implications and consequences of initiating warfare. They realized that it would be important for the American people, through their representatives, to be involved from the beginning in such an undertaking because it is the people's wealth and lives that will be put at stake in any military undertaking.

We have learned since then that our own military leadership recognizes the importance of Congress taking this step at the beginning, because it means that there will be a full debate and a full effort to make sure that there is national support for such a military undertaking.

So this is the right thing for us to do. It is the right way for us to do it. It would be wrong for Congress to stand by again and permit President Clinton to take the country into war without prior authorization.

CONGRESS MUST PROVIDE LEADERSHIP ON FOREIGN POLICY MATTERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from California (Mr. ROHRBACHER) is recognized during morning hour debates for 5 minutes.

Mr. ROHRBACHER. Mr. Speaker, as the Congress moves forward via the Committee on the Judiciary's impeachment hearings, it is useful to understand that this administration's shortcomings are not confined to extramarital affairs. Six years into this administration, our country is in jeopardy. With little awareness by the public, we are facing a multitude of critical national security threats and foreign policy debacles.

My fellow Americans, mistakes being made today imperil our children and future generations. The sad fact is that this administration has no credible foreign policy. Our weakness and vacillation emboldens tyrants throughout the world from China to Afghanistan to North Korea to Serbia to Cambodia to Iraq. It encourages these regimes to, not only brutalize their own people, but to create regional instability, to threaten Americans, and to threaten others as well with terrorism, and, for the first time, to develop and deploy technologies that directly threaten the continental United States.

How many Americans know that Communist North Korea is the largest recipient of U.S. foreign aid in Asia? In fact, Communist North Korea, this brutal regime that starves its own people to develop weapons of mass destruction, this Stalinist regime that threatens the stability of Asia is perhaps one of the top five recipients of foreign aid in the world.

How many Americans know this? How many Americans know that we have given into that regime into blackmail from that very same regime, and that is why they are receiving that foreign aid?

How many Americans know that, on the day that President Clinton visited Communist China, that that dictatorship tested a new rocket engine for a missile that can hit the United States? There was no response from President Clinton or his entourage, yet they knew that that engine was being tested.

This is the same brutal regime that represses religious believers and democratic reformers, the same regime that gets a preferential trade status enabling it to flood our markets to the tune of a \$60 billion trade surplus a year, which they then use to build weapons that may someday attack Americans.

As I speak, the select committee of the gentleman from California (Mr. COX) is finding more and more evidence that the Clinton administration has permitted the transfer of American technology to upgrade Communist Chinese missiles and other weapons systems.

How many Americans know that, due to this administration's determined opposition, that our country has no missile defense system to stop a missile whether it is from China or elsewhere from hitting the United States?

How many Americans know that the Taliban extremists in Afghanistan, who are like the Nazi's were to Jews, the Taliban are to women throughout the world, how many people know that this group, the Taliban, who are the largest exporters and suppliers of heroin in the world and have made their country into a safe haven for anti-American terrorists, that this bad bunch has had the tacit support of the Clinton administration?

How many Americans know that, due to the Clinton's administrations nonsensical military deployment and other